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ABSTRACT

This paper examines the work of the education inspectorates in England and Wales. It specifically addresses the inspectorates' articulation in the Labour Party's general policy shift toward standards-driven reform. The text states that the school inspectorates have been cast as uniquely powerful regulatory agencies within the public sector and are involved in the fundamental reshaping of state education, particularly in the realm of increased centralization and privatization. It describes inspection as a mode of governance. Although initially created as a form of accountability, inspection serves the additional purpose of securing homogeneity in the curriculum, in pedagogy, and in assessment. The paper outlines the costs involved in inspection and discusses how inspection knowledge has enabled the targeting of resources. Further, in terms of school effectiveness, research suggests that external pressure is needed if schools are to change their organizational features and practices. However, there are questions about the extent to which these inspections are counter productive when one considers the stress that it places on individuals and organizations and how such inspections might limit innovation, constrain pedagogical strategies, and affect schools adversely where professional autonomy is a part of the school-improvement strategy. (RJM)

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STANDARDS DRIVEN REFORM: INSPECTION AS A STRATEGY FOR SCHOOL IMPROVEMENT

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Introduction

The implementation of the 1992 Education (Schools) Act introduced a new system of school inspection. It created a new non-ministerial government department, the Office of Her Majesty's Chief Inspector (OHMCI) independent from the Department for Education and Employment (DfEE). It was charged with formation and regulation of a national system of school inspection to be conducted by independent, contracted inspectors in England and Wales. Subsequent Regulations determined that every maintained school would be inspected once every four years. The Act thus brought to a close an system established in 1839, based on a small number of full-time, professional inspectors, Her Majesty's Inspectorate (HMI). The 1992 arrangements then represent a significantly different mode of school inspection . A core of HMI continue act as the department's professional officers.

The new department, now known as the Office for Standards in Education (OFSTED) in England (its Welsh equivalent retains it statutory title, OHMCI) is required to report to the Secretary of Sate about, the quality of education provided by schools, standards achieved by students, the way in which financial resources are managed, and the spiritual, moral , social and cultural development of schools. The procedures for securing the evidence for commentary in these areas emphasises how bold the change in the mode of inspection has been and why it is has been controversial and also they suggests the extent to which there has been a shift in the purposes of inspection. Key features of the 1992 mode of inspection are set out below.

First, under Section 9 of the 1992 Act, all maintained schools are to be inspected on a cycle (once every four years in England, every five years in Wales), far more frequently than was previously the case. In secondary schools this mean that a team

of inspectors observes the school at work for one week. Second, judgments formerly made by an elite corps of full-time professionals are now made by contracted teams assessed, selected and monitored by HMI. These teams, led by accredited Registered Inspector (RgIs) must include a lay inspector, some one without previous connection with school operations thereby emphasising the de-professionalization of inspection. Third, schools are inspected against public criteria set out in the **Framework for Inspection** . This has been integrated with further guidance for the conduct of inspection in what is known as the **Handbook of Inspection**. These documents have been revised twice since their introduction. Both documents are widely available and all schools are likely to have copies of each. The principles and processes of inspection then are now transparent. Fourth, the 1992 Act and the Education Act 1993 (Part V) requires inspectors to identify schools failing to provide an acceptable standard of education and moreover gives powers to the Secretary of sate to nominate education associations to take over the running of 'failing' schools. Last, parents are accorded a formal role in schools inspection. Their views are canvassed via a pre-inspection questionnaire survey and at a meeting with the RgI. In addition, a summary of the inspection report is sent to all parents.

Since the new form inspections commenced in September 1993, 24,000 schools in England and Wales have had at least one full inspection have been inspected and many school have had , or are about to experience, their second inspection. Revisions have been made to the policy whereby well performing schools – as measured by a number of performance indicators such as trends of achievements in national test score inspectors, student attendance and student 'exclusion rates - will receive only a 'light touch' inspection. Schools deemed to be under achieving however will be subject to the full inspection procedures. The system has attracted considerable attention form overseas, notably in those countries reviewing prospects for a British 'model' of devolved responsibility of responsibility and resources set alongside strong systems for the central monitoring of outputs.

The new arrangements also bestowed on school inspectorates a degree of independence they had not enjoyed before. They were created as <u>non-ministerial government departments</u>. In effect these are conventional departments of state without a minister. A former Chief Inspector described his position as sub-

ministerial: somewhere between a Permanent Secretary and minister. This gives him considerable independence of action, and unlike agencies are not reliant upon other departments for financial support. This is turn has vested in the Chief Inspectors considerable powers to shape the policy debate through their independent identification of issues and challenges that exist in the education that they believe need to be addressed.:

Although he new inspection arrangements were formulated and implemented by a conservative administration and bear its hallmarks in privatization of the inspection programme, they were enthusiastically embraced by the incoming Labour Government in 1997. Indeed it remains at the centre of the present government's determination to drive up standards in schools, so much so that inspectorates in England and Wales have been given expanded responsibilities which includes, for example, monitoring and reporting on the relative performance of local education authorities (LEAs). It is the purpose of this paper to examine the work of the inspectorates in England and Wales and specifically their articulation to Labour's more general policy thrust in the direction of standards driven reform. Within this general aim of raising school performance we will argue that school inspectorates have now been cast as uniquely powerful regulatory agencies within the public sector and moreover they are involved in the fundamental reshaping of state education, in the direction of increasing centralisation and privatisation. that the government feels is required to meet it stated aims. We turn first however to some foundational statements about 'regulation' as we employ it in this paper and how that relates to the structures and processes of inspection.

Inspection and regulation

Inspection is a mode of governance and as such it regulates the operations and practices of agencies and institutions both in the state and private sectors. Statutes, courts of law, audits and annual reporting procedures are other socio-legal process which also fall under the general heading of governance and have similar impacts of agencies and institutions. Some commentators such as Hood et al (1999) regard school inspection as 'aspect of 'regulation inside the state'. It involves one public organization shaping the activities of another via the scrutiny actors and their

practices. Inspectorial power, in their view resides in the mandate inspectors have been given to monitor and report on other agencies at an arms length and in authority invested in inspectorates to regulate and to change the operations of agencies under scrutiny.

Majone's major study of regulation defines the concept in terms of 'rules issues for the purpose of controlling the manner in private and public enterprises conduct their operations' (Majone, 1996, p.9). He goes on to note that there different modes of regulation and the mode most frequently in operation in the US and Europe involves 'sustained and focused control exercised by a public agency, on the basis of a legislative mandate over activities that are generally regarded as desirable to society' (Majone, 1996, p9). In our view this captures the regulative character of schools' inspectorates in the UK accurately and economically.

One explanation for the rise of modes of regulation and their prominence in state activity – hence the notion of the regulative state – is in response to market failure. On this argument, markets cannot guarantee either service quality or continuity of quality without some form of external quality assurance mechanism. That does not apply directly to the origins and functioning of post 1992 schools inspectorates in the UK however. Certainly they were intended to provide a form of accountability, upward to ministers and outward, via inspection reports to parents and communities that schools serve. Our research suggests that they have another purpose and that is to secure some homogeneity of curriculum, pedagogical and assessment practice, management procedures and efficiency in an education system that previous was previously characterised by large variation in all these areas (see Lee and Fitz, 1997). The need for a strong regulative mechanism, alongside one other policy that aimed to reduce system variability, the national curriculum, follows the 1988 creation of self-managing and self-governing schools and local quasi educational markets where the principal features of those reforms had the potential to recreate the kind of diversity in provision ministers were seeking to overcome. What emerged was an inspection system that enabled the state to regulate to an hitherto unknown degree what schools do. So, it wasn't so much market failure that explains inspection as the chosen regulative mechanisms as an ab initio determination to see off threats contained within public sector services organised along market principles.

The road not taken: Labour and education policy

To locate the political and policy significance of school inspection we need to set out the broad policy context within which it is located. It is possible to identify two important discursive arenas that school inspection straddles and which in combination account the prominence in currently has. The first is Labour's education policy initiatives and the importance accorded to standards and how these how to be achieved. The second involves the ongoing restructuring of public sector based on the principles of the creation of client provider relations, internal markets and competitive tendering and on increased scrutiny of public sector organisation in order to achieve best value and greater accountability. In both arenas Labour has continued where the previous administration commenced and it has persisted with, and indeed, in some respects intensified, the principles of governance and administration based on the combination of markets and strong regulation of public sector institutions by the central state. The road not taken was to roll back the restructuring of public sector organisation commenced under the previous new right government.

Labour's jihad election slogan of 'education, education education' was transformed quickly into policy intentions in its first consultative White Paper *Excellence in Schools* (DfEE, 1997). It became clear that per capita funding regimes would remain as would the commitment to parental choice of schools and the publication of national test scores for each school. Self-managing school were to remain as a key stone organizational policy although the grant-maintained schools were to lose some of their autonomy and certainly the funding advantages they previously enjoyed. New policy directions were signalled though in the six principles that were to underpin Labour's education policy. The White paper stated that: 'education will be at the heart of government; policies will be designed to fit the many and not just the few; the *focus will be on standards* not structures; *intervention will be in inverse proportion to success*; there will be *zero tolerance of underperfomance* and

government will work in partnership with all those committed to raising standards' (DfEE , 1997, p.5, our emphasis).

From these principles four key themes emerge. First, is the emphasis on standards and the measures required to achieve this. Second, is the importance attached to the scrutiny of the work of schools and teachers and the third, is the non-prescriptive definition of 'partners' with whom the government is prepared to work, more specifically private sector partners are not excluded. Fourth, there are clear statements her about the government's knowing what is wrong with schools and its willingness to intervene to put matters right. For example in the White Paper it is asserted that 'we know what it takes to create a good school (DfEE, 1997, p12, cited in Power and Whitty, 1999 p.359). That the government knew what it wanted to achieve and had clear strategies for realizing its aims was consolidated in the creation of the Schools Standards and Effective Unit within the department of state the DfEE and headed by Professor Michael Barber, an academic from the Institute of Education in London and pre election advisor to Labour.

The White Paper and the subsequent School Standards and Framework Act 1998 put into place a number of initiatives that consolidated the strong lead that central government was willing to take, and its determination to intervene in schools and other educational institutions that were deemed to be low attaining. The legislation also confirmed its commitment to draw on a range of partners in the quest for raised standards as measured but increases in examination performance. The focus on standards is embedded in a number of specific initiatives that have been implement since 1997. In brief these include:

- Target-setting – by the end of 1998 all schools had agreed attainment targets for KS2 tests in the primary phase and for GCSE examinations in secondary schools. The extent to which these targets were met are used as indicators of school effectiveness and of the quality of support LEAs offer schools.
- National Literacy and Numeracy Strategy that school were required to follow. In England this takes the form of daily 'literacy' and a numeracy hours in primary schools involving a very prescriptive pedagogy.
- Reduction in infant class sizes, to 30 students per class or less

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- Sure Start offers support for socially disadvantaged families with preschool children through programmes of support to facilitate school-readiness.
- Fresh Start extends the Secretary of State's powers to take over schools deemed by the inspectorate for failing to provide a a satisfactory standard of education. The initiative empowers the education secretary to replace the existing school management with an Education Association and require serving teachers to reapply for their own jobs. The most recent school closed under these arrangements reopened under the management of private educational consultants. These measures can also be applied to LEAs which are now also inspected. In one recent case Bradford LEA in response to a critical report has turned over all its services to private for-profit educational consultants. In addition since 1997 the government also added 'lower level effectors' to the inspection repetoire. (see hood et al, 1999 p155). Inspectors were now able to identify and report on schools that were not 'failing but exhibited serious weaknesses. These schools were placed under surveillance by their LEAs and Ofsted and depending on their performance could be subject to a graduated of interventions available to the LEA and the Secretary of State (Hood et al 1999, p155.)
- Education Action Zones are area based initiatives aimed primarily at socially disadvantaged communities mainly located in inner cities and peripheral estates of social housing. EAZ are composed of about 20 schools including one or two secondary schools overseen by a locally based Action Forum and led operationally by a zone directors. Additional resources have bee made available to enable schools to work collaboratively together. EAZ however are expected to become partnerships of public and private organizations in order to expand participation in the formulation of education initiatives and in order raise additional resources. In order to find new ways of addressing complex educational issues arising from multiple dimensions of social exclusion that constitute social context of EAZs it has been made possible to have the National Curriculum disapplied and in order to attract high calibre staff, national policies on teachers' pay and conditions have been suspended, thereby enabling the appointment of so called super-heads, the introduction of performance related pay and creation of a category of advanced skills teachers. The emphasis in the policy is to identify and apply models of good practice

across schools in the Eaz and to identify innovative strategies to rais the performance of low attaining students.City academies initiative, announced last month by the Secretary of state is similar in many respects to to Eazs policy in that these are aimed at areas of social exclusion. The city academies are intended to be specialist schools and can be led by partnerships of local government and private enterprise or by church affiliated organizations. Again competitive applications from school and organisations will mean that extra resources will be available for successful applicants. Priority will be given to schools with the potential to raise the performance of low attaining students.

Directly or indirectly, schools inspectorates are involved in these measures as 'policy police' (Hood et al 1999). There however complex and manifold means through Ofsted operates in relation to Labour's standard driven reforms and this is focus of the next section of this paper.

Ofsted, regulation and school improvement

Ofsted is a regulatory agency that operates in a variety of ways. Our research suggests that there are three primary modes of regulation that have considerable influence on how the education system and individual institutions within in it operate and manage their affairs. The first is the information that Ofsted holds and publishes about the system. The second mode is alignment, where institutions interpret the discourse of inspection embedded in a variety of texts and arrange their organisational features and pedagogical practices accordingly. The third is intervention where Ofsted creates the circumstances for the take over of schools or LEA services by the Secretary of State. We shall discuss each of these in more detail.

a) System knowledge and publication: power/knowledge

Inspection fundamentally involves generating knowledge about education sytems on which policy can be based. Ofsted claims it is unique on the size of the data base it now hold s on the operation and performance of a national system of education. It has school and level data on some 24000 schools and the second phase of inspections is now underway. It also possesses classroom level data within each school inspected.

Ofsted's self-confidence about the knowing what works in the system and the policy advice that it gives is based on this very large data base. Indeed it has raised questions about the need for other kinds of educational research in light of the fact that its data base contains all we need to know about the relative effectiveness of various kinds of organizational features and pedagogical practices of schools. There are powerful dissenting voices however that question the social scientifc quality of its data base and thus the advice it can offer to policy makers and practitioners. Nevertheless, Osted is listen to and it has assemble a powerful arsenal to disseminate its findings and recommendations.

The conditions which give rise to the power of Ofsted's data and its dissemination have to be located within a wider policy context. First Ofsted works in combination with information about school contained in published performance tables which set out each schools achievements in national tests. These readily identify relatively good and poorly performing schools. Ofsted therefore has a major role in relating performance data to the various operational features of schools and thus identifying 'what works'. No previous British inspectorate and few other national inspectorates have information of this kind to compare schools with each other or compare school performance over time.

Second, Ofsted works within a policy framework marked by a discourse of 'zero tolerance' of under performance. It is central then in the identification of schools which are under achieving or, more recently deemed to be 'cruising' (applied generally to schools that are socially advantaged, but where performance figures are sound but not as good as they might be). Ofsted therefore brings together socio-economic data and school performance data to advise the DfEE and the education Secretary which school might suitable cases for treatment. Where this has become directly important has been in the area of target-setting. This information is also made available to LEAs so that appropriate targets may be set for their schools.

On the basis of its knowledge about the system the inspectorates continue the practice of HMI through the publication of reports about key issues that are interest to policy makers and practitioners. Reports on the relative benefits of the reduction of class sizes and the relative merits of different means of teaching reading and mathematics

are prominent examples here. However, the Annual Reports of Her Majesty's Chief Inspector also send clear messages about what constitutes a good school and a good education in present context. The reports receive considerable media attention and their contain indicators that school or policy makers can hardly ignore. We interpet these are powerful discursive projections about the trends and trajectories should be alive to and act on where necessary to improve the effectiveness.

b) Regulation via alignment

One noteworthy feature of the post 1992 inspection arrangements is the publication of the inspection criteria in the successive *Framework for Inspection* documents, published separately for nursery/primary schools and for secondary schools. Ofsted acknowledge the explicit part they see these documents having in the influence of school organisation and practice by the claims that these are some of the most important and effective documents about school improvement that have so far been published. In setting out the inspection criteria in effect Ofsted have stated what aspects of school organisation and practice schools should consider for review and revision. Bearing in mind schools had a year's notice of an impending inspection, they had plenty of time to evaluate their own arrangements against the published criteria. In the 20 schools that formed part of our original research, all our headteachers responded that they had used the Framework documents to review their own procedures and practices. In this sense then the alignment potential of the inspection programme was clearly evident. There is no evidence though that this contributed directly to any school improvement, as measured by test performance, and in our view nor can there be for reasons we shall elaborate later.

All the research evidence is clear though that primary and secondary schools responded to the published criteria. This most frequently takes the form of written policy documents to cover all aspects of the schools operation (bullying, equal opportunities, homework policy, recording pupil progress, and clear programmes of study and management structures and such). In this way schools are required to demonstrate that they are both effective and efficient and although British inspection has always encouraged inspectors to 'report as they find' (judge what they find

schools do in its own terms) the inspection criteria nevertheless indicate also what inspectors ought to find and therefore the process is primarily normative.

Alignment also takes place we would suggest through the process of the inspection reports on schools. In the first wave of inspections teams were required to make a clear separation between inspection judgments and advice; in effect they could not offer the latter. Inspection reports contain messages about the relative performance of the headteacher, senior management team and each of the subject departments based on the quality of teaching and on the progress made by students. The templates for improvements here are enhanced by the statement of Key Issues for Action which are given at the end of each report and to which schools often with the support of the LEA must respond with a programme designed to show how these issues are to bee addressed. Again regulation by alignment is clearly demonstrable here.

Inspection's most active policing feature though is evident in the extent to which team survey the extent to which schools implement central policies such as the National Curriculum and the national strategies for teaching literacy and numeracy. It is the regulatory of Ofsted that operates through the sanctions it has to declarer that schools have serious weakness or are failing to provide a satisfactory standards of education that enforces compliance with centrally generated policy initiatives.

c) Intervention

In the words of one commentator 'the nuclear weapon' (Hood et al 1999) possessed by the inspectorates' is the power to declare a 'school' to be failing on the basis of an inspection visit and to put it into what is called 'special measures'. This provides an opportunity for a school and its LEA to address the serious weaknesses identified by the inspection team and confirmed by HMI. If after a second inspection progress towards addressing the issues has not been satisfactory the Education Secretary has the powers to take over schools. In England about two percent of schools are placed in special measures. Few, however, have been taken over in the full sense. Our research suggests that the process is a long and protracted one, perhaps signaling a reluctance by central government to assume responsibility for a large number of failing schools in a situation where turning them around is both costly and uncertain. And while the

most frequent casualty of a failing school is the headteacher – they resign or take early retirement - some of the replacement heads have since left schools to which they were appointed, initially in a glare of positive publicity, within a year or so of there taking up the headship.

The failing school label is a huge fear factor that brings untold stress into the inspection process. There is no shortage of research to support this and there is no shortage either of anecdotal material from heads declaring that they will/intend to/ retire before they have to face another inspection. Alongside the direct effects of the nuclear weapon though there is regulation via self surveillance and self policing evident in the constant concern that the school is up to speed in all elements of its operation that are the subject of inspection. This means that there is tendency to constrain innovative management and pedagogical strategies. Regulation via self surveillance and self policing is little commented on but is clearly an area ready for further exploration and commentary.

We note briefly here that local education authorities are also now subject to Ofsted inspection processes and judgments. The focus of inspection is the extent to which LEAs support their schools in the pursuit of increasing standards of performance and how efficient they are in the use of resources. By the end of next year all 150 LEAs will have been inspected (Guardian, 1999). Some have been found to have had serious weakness and in four cases the government has insisted in varying degrees of private involvement in their future operations. The claim of course is that inspections put pressure on elected members and officials to improve the work of LEAs in the support they give schools.

The naming and shaming of schools and LEAs under these measures however has had an unintended consequence, namely speeding up the rate at which for-profit organizations, have taken over the management of of LEAs and also schools. Already two schools are managed by for-profit organisations while there are a number of LEAs where private consultancies have taken over the running of what were formerly called Advisory and Inspection Services - responsible for monitoring the performance and offering advice to schools in order to raise standards and at least one authority, Bradford, has decided that the LEA will in future be managed by a for-profit

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enterprise. The parallels here with the rise of educational management organisations (EMOs) in the US are unmistakable and indeed the US has undoubtedly been a major influence on the creeping form of privatisation that we report here.

Conclusions

What lessons can be drawn from the use of inspections as a strategy for school improvement? A key issue is the resources devoted to inspection and whether this can be seen as a value for money exercise. The Ofsted's work for the conduct of full inspection of schools in England costs about £90 mill per annum. However, that does not represent the full cost of the inspection system because it does not take account of the opportunity costs incurred by schools, which totalled about 3 percent of its annual budget in the year they were inspected. When these are included one organisation estimated that the cost of a median secondary school inspected was in the order of £66,000 for a median size secondary school and £26000 for a median size primary school (Ofstin, 1998, p116). Ofsted has countered that its costs represent just under one percent of the national annual budget for schools and that this is not an unreasonable sum for ensuring and maintaining quality in the system. While the evidence is that national tests scores are rising across the age range, although they also remain highly polarised across schools and social classes, it is very difficult to determine what influence, if any, that inspection has had on these trends. There have been numerous changes in the system that disaggregating, say, the impact of target setting from inspection, changes in the national curriculum etc is probably impossible.

In terms of school effectiveness, however, what inspection does represent is that external pressure that the schools effectiveness and improvement literature suggests is a necessary condition for schools to change their organisational features and practices. This inspection provides in abundance. There must be some question though about the extent to which it also counter productive in that it also produces stress on individuals and on institutions.

Undoubtedly though inspection has brought about on-the-ground compliance with central government policies. It is an immensely powerful lever through which successive governments have embedded their educational reforms in schools.

Inspection knowledge has enabled resources to be targeted where they are needed but it has also put schools under stress under even greater scrutiny and pressure. This has been achieved within a context where the government is supremely confident that it knows how underachievement arises, within which groups it is located and what must be done to put things right. In that sense inspection remains primarily regulative in its effects. However in promoting compliance inspection may well limit innovation within classrooms and schools and constrain the range of pedagogical strategies that teachers and schools employ. And if professional autonomy and 'ownership' of curriculum and pedagogical practices are also part of the school improvement recipe the inspection as a strategy for improvement could well be working against these.

Across the public services 'education, traditionally more fragmented, has travelled further towards formality and high level sanctions over the [19]90's than other domains like prisons or social services and has produced both a development of provisions for 'bankruptcy' and receivership in the public sector and a style of wholesale contacted out inspection neither of which has been adopted by other public sector oversight regimes' (Hood et al 1999 p156) Thus concludes a research team looking at regulation in the public sector in the UK. The facets of regulation we have discussed here in relation to education perhaps demonstrate the Labour government's determination to get it hands on the policy levers needed to drive change forward in the direction it argues will be beneficial for schools and perhaps, moreover, for its own salvation at the next general election.

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